United Nations CEDAW/C/GEO/2-3

Convention on the Elimination of All Forms of Discrimination against Women

Distr.: General
14 May 2004

Original: English

Committee on the Elimination of Discrimination against Women

Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

Combined second and third periodic reports of States parties

Georgia*

* The present report is being issued without formal editing.

For the initial report submitted by the Government of Georgia, see CEDAW/C/GEO/1, which was considered by the Committee at its twenty-first session.

04-35996 (E) 190704

Second and Third Periodic Reports of Georgia

On the Implementation of the

Convention on the Elimination of All Forms of Discrimination against Women

November 2003

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Introduction

1. In compliance with the requirements of Article 18 (Paragraph 1) of the Convention on the Elimination of All Forms of Discrimination against Women (hereinafter – the CEDAW), Georgia submits in one document its second and third periodic reports to the Committee on the Elimination of Discrimination against Women. According to the guidelines for the preparation of periodic reports, the State party endeavored to focus on the period between the discussions of the initial report up to the date of preparation of the last one. The submission of two periodic reports as one document is conditioned by the fact that that up to now the Committee on the Elimination of Discrimination against Women has not considered the second periodic report of Georgia. Thus, it becomes necessary to give the Committee a clear idea concerning the situation in the State party during entire reporting period.

2. The present report has been prepared by the Department on Human Rights, Intellectual and Humanitarian Security Issues of the National Security Council of Georgia (NSC), headed by Deputy Secretary of the NSC. The NSC is a constitutional consultative body headed by the President of Georgia. Since January, 2000 this unit has been entrusted with the authority of preparation of the state reports which are to be submitted to the UN treaty bodies in the field of human rights.

3. The present report is based on materials provided by the following agencies: Ministry of Internal Affairs, Ministry of Foreign Affairs, Ministry of Agriculture and Foodstuffs, Ministry of Labor, Health and Social Affairs, State Department for Statistics, as well as the Council of Justice of Georgia.

4. Georgia submitted its initial report regarding implementation of the CEDAW in February, 1998 (CEDAW/C/GEO/1, CEDAW/C/GEO/1/Add.1&Corr.1). The initial report was considered by the Committee on the Elimination of Discrimination against Women on its 21th session on June 8-11, 1999. Along with positive assessments of the measures taken by Georgia to implement the CEDAW, the Committee adopted its conclusions and recommendations, inter alia, regarding subjects of concern. The results of the consideration of Georgia's initial report were discussed at the sitting of the National Security Council (July, 1999). Based on these conclusions/recommendations, the State Commission on Elaboration of State Policy for Women's Advancement (established in February, 1998) elaborated draft Decree of the President of Georgia "About the Measures on Strengthening the Protection of Human Rights of Women". The Decree was signed by the President of Georgia on August 28, 1999 (#511). According to the Decree, the above-mentioned State Commission was entrusted with permanent monitoring of the national "Plan of Action for Improving Women's Conditions in Georgia for 1998-2000" (approved by Decree of the President of Georgia on June 18, 1998, #308). The State Commission was also supposed to prepare national "Action Plan on Combating Violence against Women for 2000-2002". The Plan was elaborated and approved by Decree of the President of Georgia on February 25, 2000 (#64).

5. Second periodic report of Georgia was due by November 25, 1999. As it was mentioned above, initial state report of our country was considered in June, 1999. Actually, within the

period from the consideration to the date of submission of the second periodic report there were no significant changes compared with the data contained in the initial report. Furthermore, updated information as to situation regarding implementation of the CEDAW was provided in the presentation of Georgian delegation made within the framework of the consideration on the initial report. Proceeding from the above-mentioned, it was considered reasonable to submit the second periodic report later, in order to provide the Committee on the Elimination of Discrimination against Women with the newest data. Unfortunately, as mentioned above, the second periodic report of Georgia has not been considered so far.

6. In the context of the present report it should be mentioned that on July 2, 1999 Georgia acceded to the International Convention on the Elimination of All Forms of Racial Discrimination. In May, 2000 initial state report of Georgia on the implementation of the Convention was submitted to the Committee on the Elimination of Racial Discrimination, which considered it during its fifty-eighth session and adopted its concluding observations (CERD/C/304/Add.120).

A. Decree of the President of Georgia "About the Measures on Strengthening the Protection of Human Rights of Women in Georgia"

7. In order to facilitate implementation of the recommendations of the Committee on the Elimination of Discrimination against Women, the President of Georgia charged various Governmental bodies.

8. The Ministry of Justice was instructed to carry out analysis of Georgian legislature and on the basis of this analysis elaborate legislative proposals on improving legislation in this sphere in order to make it consistent with international legal norms, as well as to pay particular attention to the elimination of discrimination against women, both direct and indirect, while regulating private-law relationships.

9. The Ministry of Internal Affairs, in collaboration with the Prosecutor's Office, was instructed to collect and process the data regarding every fact of violence against women, as well as to provide the registration of facts of domestic violence and carry out preventive measures for exposing and eliminating such kind of violence.

10. The Ministry of Labor, Social Affairs and Employment was instructed to work out the plan of large-scale measures in order to improve economic status of women by means of professional training and re-training, encourage women's participation in all sectors of the national economy. In this connection it should be mentioned that at present the above-mentioned Ministry and the Ministry of Health were amalgamated in one body – the Ministry of Labor, Health and Social Affairs. Correspondingly, this Ministry is to carry out the assignment described above.

11. The Ministry of Health (contemporary Ministry of Labor, Health and Social Affairs) was instructed as follows:

- to analyze the existing occupational health standards in order to annul those discriminating against women, either directly or indirectly;

- to develop and introduce a large-scale system of measures with the purpose of reducing the rate of infant and maternal mortality and the number of abortions, provide women with necessary medical care, popularize and disseminate contraceptives;
- to pay particular attention to the creation of insurance schemes that sufficiently cover women patients' expenses in hospitals and other medical institutions.

12. The Ministry of Education was instructed to carry out gender analysis of the textbooks in order to eliminate gender stereotypes therein, as well as to ensure the equality of men and women in all areas of life.

13. The Ministry of Foreign Affairs was instructed to give particular consideration to ensuring women's involvement in the peace-building and negotiation processes conducted by Georgia.

14. The Ministry on Refugees and Accommodation was instructed to develop special programs aimed at helping refugees and internally displaced women.

15. The Ministry of Agriculture and Foodstuffs was instructed to elaborate special development programs for women in rural areas, as well as to give consideration to the participation of women in current programs.

16. The State Department for Statistics was instructed to develop statistical data in gender perspective while working out its annual report.

17. It should be emphasized that in accordance with the Decree, Concluding Comments of the Committee on the Elimination of Discrimination against Women were published as soon as the Decree was promulgated in the official newspaper.

18. Within the framework of the present report the information on the implementation of the Presidential Decree by the respective state agencies shall be provided, when commenting upon corresponding Articles of the CEDAW.

B. Decree of the President of Georgia "On the Approval of the Plan of Action for Improving Women's Conditions in Georgia" for 2001 -2004" (December 29, 2000)

19. In accordance with the above Decree, the Plan of Action for Improving Women's Conditions in Georgia for 2001-2004 was approved. The Plan under review envisages the following priorities:

- Establishment of institutional mechanisms, inter alia, by raising the level of awareness of gender problems, developing comprehensive knowledge concerning the problem, as well as mainstreaming gender in the state policies and legislation;
- Enhancing the women's role and participation in the decision-making processes in terms of enhancing women's representation in the structures of power;

- Promotion of women's economic independence, facilitation of access to the information on market economy and credits for small businessmen, small farmers and self-employed persons (especially women);
- Prevention of the poverty growth among women in transitional period;
- Elaboration of mechanisms for the protection of women's rights in the case of armed conflicts and in post-conflict periods;
- Improvement of women's health conditions by developing health care programmes of Georgia as well as strategies for implementation of top priority objectives defined in the papers of the World Bank, UNICEF, UNHCR, elaborating programmes for free treatment of unemployed and vulnerable group women, and paying special attention to the women's health protection issues while working out the respective programmes and projects;
- Prioritization of women's rights by means of improving Georgian legislation and existing mechanisms for their promotion and protection and eradicating all factors of gender-based discrimination.

C. International Programs

20. Traditionally gender-based discrimination and negligence of women's rights have not been recognized in Georgia, and no effective study or undertaking has been made in this direction. The first phase of UNDP Georgia's involvement in gender issues was through the project "Women in Development" that was implemented from June 1997 to December 1999. Its major achievements were twofold: a) the formulation and official approval, by a Presidential Decree, of the National Plan of Action for Improving Women's Conditions in Georgia and b) public awareness-raising on gender imbalance through extensive media coverage and seminars. The project also contributed to the establishment of the State Commission on the Elaboration of State Policy for Women's Advancement. For completing the first project, the "Gender in Development" project was launched in 1999 that came to the end in 2002. The development objective of this project was to facilitate the creation of social, economic and political conditions for a wider, more active and ultimately equal involvement of women in the country's socio-economic and political life. This was done through (a) assistance to the Government in implementing a sustainable gender program in the country through capacity-building of the State Commission on the Elaboration of State Policy for Women's Advancement, (b) gender sensitization of the legislation and programs of the ministries, (c) strengthening the established regional forums to act as gender information and activation centers, and (d) creation of a central gender resource and information center for training, research, policy recommendation and public awareness raising. In 2002 the "Gender in Development" project initiated a close collaboration with women elected in local councils during the local elections (June 2002). The project facilitated the establishment of the network on newly elected women in the local councils.

21. In order to support the implementation of the second phase of above-mentioned project Swedish Institute for Public Administration, in cooperation with the State Commission on Elaboration of State Policy for Women's Advancement and NGO "Gender Development Association" implemented special project entitled: "Mainstreaming Gender Equality into the

Government Institutions in Georgia". The overall objective of the project was to increase gender equality between women and men through enhancement of the Government institutions' capacity to implement the national Plan of Action for Improving Women's Conditions in Georgia.

22. In the course of implementation of the project special study visit/training in Stockholm was organized. The delegation consisting of 14 members - representatives of various ministries, as well as the members of mentioned State Commission - participated in this 10 days training/study tour. One of the main results of the study visit that took place in December, 1999, was the start of the organizational process within the Government institutions through mutual experience sharing. The members of Georgian delegation took advantage of the opportunity to acquire knowledge of Swedish national machinery on gender and methods, instruments and special programs on gender mainstreaming, to establish contact points and a network in Sweden for complementary information gathering and experience sharing, to deepen knowledge of the opportunities and obstacles for gender mainstreaming into the Government policy and programs in Georgia, etc.

23. Two trainings were held in 2000, with the participation of the same resource persons who were members of Georgian delegation visited Stockholm. The training in Tbilisi involved examples from Sweden, practical exercises and group discussions concerning methods and instruments on how to "mainstream" gender into policies, programs and projects. Possible entry-points for gender mainstreaming in rules and procedures the Government institutions of Georgia were also discussed.

24. In 2003 UNDP launched the Samtskhe-Javakheti Integrated Development Program with several different sub-projects, including the Women's Resource and Training Centre. This project has the following immediate objectives:

- Address the regional gender needs for the data collection and analysis;
- Raise awareness by addressing gender inequality in the region;
- Strengthen the capacity of the local authorities through designing policies for gender development;
- Support and empower women to take more active part in the development processes;
- Provide training and economic opportunities for women.

UNDP chairs the UN gender theme group, which consists of representatives of all resident UN agencies. The group holds meetings on a regular basis to share information and discuss joint activities.

D. Institutional Framework

25. As noted above, the State Commission on Elaboration of the State Policy for Women's Advancement was established in February, 1998. The Commission's envisaged role is to act as main coordinating body of the Government's gender policy. The key instrument in this

coordination and in the implementation of the Government's gender program is the above-mentioned National Plan of Action for Improving Women's Conditions in Georgia.

26. The State Commission is headed by a woman – the Deputy Secretary of the National Security Council of Georgia on Human Rights Issues. The other 26 members of the Commission are representatives of the Government and NGOs. The State Commission is supposed to operate in close contact with the different ministries where gender focal points are nominated to ensure smooth interaction.

27. After the Presidential elections (April 9, 2000) the composition of the State Commission has significantly changed, owing to the resignation of the former Government and forming the new one. Nevertheless, the Commission has continued its activity in order to implement the tasks entrusted to it by the Decree of the President of Georgia #48, February 20, 1999.

28. The Department for Demography, Protection of Mothers and Children and Family Development has been established within the State Chancellery of Georgia to monitor and coordinate activities of various governmental (executive) agencies in charge of women and family issues.

29. The increasing interest and activation of the society towards gender issues has been reflected in the number of NGOs dealing with these problems having emerged recently. We have already mentioned the Gender Development Association. The UNDP project also contributed to the establishment of Women's Business Club.

30. In the transition period particular consideration should be given to the process of democratization and formation of civil society. Georgian women's activities in these processes are looked through women NGOs, the number of which is more than sixty. Their activities are defined by their professional interests, humanitarian and charity activities, women's human rights, business encouragement and social issues. NGOs such as the International Association "Women of Georgia for Peace and Life", Women's Assembly of Society "Tbiliseli", Georgia Business Women, Women's Council, Refugee Women Association, International Center of Civil Culture, Women and Society, etc. provide very interesting and useful activities for supporting women and children in society. There is a trend of increasing the spheres of their interests.

31. In the Office of Public Defender (Ombudsman) of Georgia there was a special Commissioner whose unit dealt with issues of human rights of women and children. The Center for the Rights of the Woman has been established there in 2002, which is functioning with the assistance and financial support of the UNDP office in Georgia. When discussing the activities of the Ombudsman, it should be emphasized that after voluntary resignation of the first Public Defender the Parliament of Georgia elected the new one on May 16, 2000 – a woman who is a member of a party in opposition, well-known politician. Recently, in conformity with the

recommendations of the OSCE and The Council of Europe, and according to the Presidential decision, she has been appointed Chairperson of the Central Election Commission of Georgia.

32. After the Parliamentary elections (October 31, 1999) within the framework of the Parliamentary Committee on Health and Social Affairs special Sub-Committee on Protection of Mothers and Children and Family Development has been established. The Sub-Committee has actively been involved in elaboration of the draft laws, both reflecting gender issues and exerting the influence upon them. The Parliamentary Committee on Human Rights Protection, Citizens' Petitions and Building of Civil Society has participated in this work, as well.

33. With respect to this Section of the present report it should be noted that some more changes has taken place in the executive power. Namely, two executive bodies – Ministry of Health and Ministry of Labor, Social Security and Employment – were amalgamated and the Ministry of Labor, Health and Social Affairs was established. The special Department on Mothers and Children Issues has been created within the Ministry.

Article 2

34. The initial report of Georgia on the implementation of the CEDAW adequately reflects the constitutional and legislative guarantees ensuring principle of equality of men and women. In general, legal provisions described therein are in force up to the date. In addition, it should be reasonable to submit the following information.

35. The new Criminal Code of Georgia entered into force on June 1, 2000. In pursuance of Article 142 of the Code ("Violation of Citizens' Equality"), the mentioned crime committed in connection with racial reasons, inter alia, on the basis of sex, if it entailed significant human rights violation, shall be punished with a fine, or correctional labor up to 1 year, or imprisonment up to 2 years. The same act committed by a person who had made use of his/her official position, or which had grave consequences, shall be punished with a fine or imprisonment up to 3 years.

36. In accordance with the Criminal Code, the following acts are classified as crime: "Trafficking in persons" (Article 143^1), "Trafficking in minors" (Article 143^2), "Inveigling into prostitution" (Article 253), "Keeping of den or premises for prostitution" (Article 254), "Illegal production or distribution of pornographic materials or items" (Article 255), "Inveigling of a minor into illegal production or distribution of pornographic materials or items" (Article 255^1)

37. On 25 February 2000 the President of Georgia issued the Decree #64 "On Approval of the Plan of Action on Combating Violence against Women (2000-2002)"[1]. The present Plan contains the following objectives:

[1] In January 2003, by special Decree of the President of Georgia (#14), the normative act under review was amended to prolong its operation till 2005 inclusive.

- Improvement of studying of the nature, character and results of violence against women, analysis of exercising legislation against violence;
- Obtaining information on domestic violence, making the information a subject of public discussion. Prevention of domestic violence and decrease of such kind of cases;
- Elaboration of special programs for potential perpetrators;
- Development of legislation, execution of laws and court decisions;
- Assistance to victims of violence and their protection;
- Obtaining information on professional violence and making it a subject of public discussions. Studying causes and results, its prevention and decrease;
- Combating ethnic violence, support of victims of ethnic conflicts, deportation, internal displacement or exile;
- Obtaining information on ecologic violence (i.e. the alteration of genofund through destruction of living environment and ecological changes, violation of the right to live in harmless environment) and making it a subject of public discussion;
- Obtaining information on cases of violence against girls, coordinating study of causes and results, making them a subject of public discussion, analyzing of exercising of the legislation available in the field of violence against girls;
- Prevention and elimination of trafficking in women for the purpose of sexual exploitation.

38. Special strategies were worked out, in order to achieve the objectives listed above. The executors of the Action Plan are to be both legislative and executive bodies, as well as NGOs, trade unions, means of mass media.

39. The Ministry of Internal Affairs is one of the key executors of the tasks provided for by the Action Plan. Therefore, at first stage, it was considered reasonable to pay particular attention to training of law enforcement officials. The National Security Council of Georgia (namely, Deputy Secretary of the NSC on Human Rights Issues) and NGO "Former political prisoners for human rights" elaborated the joint project entitled: "Seminars at the police stations". Duration of the project was June - October, 2000. In the course of implementation of the project a number of seminars were held at many police stations throughout Georgia. During the seminars Georgian law enforcement officials had a good chance to receive appropriate information, e.g. with respect to rights and duties of policemen, new legislation and the rights of individuals, international experience in the field of human rights protection. The participants of the seminars and resource persons discuss a wide range of relevant issues including, inter alia, those connected with violence against women and gender equality, on the whole. Texts of Presidential Decrees about the Measures on Strengthening the Protection of Human Rights of Women in Georgia and the Plan of Action on Combating Violence against Women (2000-2002) were distributed among policemen. In 2002 within the framework of the above-mentioned project such seminars were held at 45 police stations.

40. In September 2003 Decree of the President of Georgia "On the Approval of the Plan of Action against Torture in Georgia (2003-2005)" was issued. The Plan had been elaborated in close cooperation with the OSCE Mission to Georgia and undergone expertise on the Part of

OSCE/ODIHR experts. The Plan envisages, in particular, special measures to fully protect women and minors from torture, other cruel, inhuman and degrading treatment, including (a) elaboration of a draft amendment to the Criminal Code of Georgia, pursuant to which torture of a woman shall be regarded as an classifying circumstance to this crime, (b) improvement of living conditions, food, education opportunities and medical treatment for women and minor convicts, to bring them in line with the respective international standards. Prior to its approval by the President the Plan had been considered and supported by the National Security Council of Georgia. The main executor of this section of the Plan of Action against Torture is the Ministry of Justice of Georgia.

41. In the context of this Article it is worth mentioning that studying of human rights issues is provided for within the curricula of the Academy of the Ministry of Internal Affairs where law enforcement officials are trained. Side by side with other topics, the students of the Academy have to learn gender-related issues, as well.

42. In the near future certain changes to the Constitution of Georgia can be expected. The matter is that in March 2003 the President of Georgia issued Decree "On the Approval of Plan of Action for Strengthening Protection of Human Rights and Freedoms of Minorities Living in Georgia (2003-2005)". According to this Plan, before the end of 2004 the Ministry of Justice of Georgia and the State Commission on the Elaboration of State Policy for Women's Advancement should elaborate a "new edition of Article 36 of the Constitution, in order to ensure a separate statute on women rights and gender equality". After that it will be for the Parliament of Georgia to consider and pass the amendment under review.

Article 3-4

43. As noted above (see Section "The Decree of the President of Georgia about the Measures on Strengthening the Protection of Human Rights of Women etc." of the present report), two Ministries of – Labor, Social Affairs and Employment and Health – were amalgamated. That's why the recently established Ministry of Labor, Health and Social Affairs is the executive body which is responsible for fulfilling the tasks stipulated by the mentioned Presidential Decree towards the former Ministries.

44. In order to implement the relevant provisions of the Presidential Decree, the Minister of Labor, Health and Social Affairs issued special Order (#140m, 23 June 2000) entitled "On Measures Aimed at Strengthening of Human Rights of Women in Georgia". Pursuant to the Decree, Deputy Ministers were instructed to elaborate and submit special plan of large-scale measures aimed at strengthening of human rights of women. The respective departments of the Ministry were instructed as follows:

- To elaborate and submit the draft program to the Minister, with the purpose of improving economic status of women through training and retraining, encourage women's participation in all sectors of national economy;

- To analyze the health standards necessary for women's employment, in order to eliminate direct or indirect discrimination against women at labor market.

45. At present the commissions listed above are being implemented by various departments of the Ministry of Labor, Health and Social Affairs.

46. The Ministry of Justice, in accordance with the above-mentioned Presidential Decree, has carried out gender analysis of domestic legislation. Summing up the results of the analysis, the Ministry stated that as regards normative acts in force, there are no provisions stipulating discrimination against women, both direct and indirect. According to the Ministry, it is committed to pay particular attention to the elimination of any kind of discrimination against women when regulating private-law relations.The3 Ministry noted as well that when making legal examination of the draft normative acts it has taken into consideration their compatibility with relevant international legal norms, inter alia, concerning the issues of gender equality and prevention of discrimination.

47. At the same time, it should be admitted that real situation in Georgia negatively affects the full development and advancement of women. For example, in 2000 Georgian Trade Unions Amalgamation made a special statement regarding the state of human rights of women in the country. The theses of this statement were the following:

- Owing to difficult economic situation, opportunities available at labor market for women have significantly worsened. Unemployment among women was on the increase;
- The remuneration in the branches where women are traditionally employed (healthcare, education, etc.), was behind the subsistence minimum;
- Most part of women has had no opportunity to make use of their high educational level; moreover, lately some difficulties have emerged in connection with education and raising the level of women's professional skills;
- Women were unable to enjoy fully the healthcare as guaranteed by the Constitution, due to the introduction of so-called "payment-requiring healthcare";
- In order to solve problems listed above, Georgian NGOs had to be involved, along with relevant state bodies. Appropriate efforts were to be made to avoid "feminization of poverty" in Georgia.

48. In the present report we are making an attempt to adequately highlight the current situation concerning specific provisions of Articles of the CEDAW. Where it is possible, relevant statistic data is provided to show both actual state of women and factors and difficulties affecting the degree of fulfillment of obligations under the CEDAW. In this connection it should be mentioned that in 1999 and 2002 State Department for Statistics of Georgia published statistical collections entitled "Woman and Man in Georgia", which contain various gender-related data. The collection of 1999 was translated into English and published. This was the very first statistical collection of such kind in Georgia. At the end of current year English version of 2002 collection will also be published.

49. As it was mentioned in the initial report of Georgia, no temporary special measures (e.g. preferential treatment, quota systems, etc.) have been used to women. As regards measures which discriminate women in a positive way, the comments of the initial report regarding, for instance, labor conditions or maternity protection remain valid.

50. As to the state of women with disabilities, it should be noted that since 1995 the Law on Social Security of Disabled Persons is in force. Pursuant to the Law, the State undertakes to ensure social security of disabled persons, creates appropriate conditions for their development (Article 3). Discrimination against persons with disabilities is prohibited and shall be punished by the law (Article 1). In this context it is to be noted that in June 2003 the Parliament of Georgia adopted an amendment to the Criminal Code, pursuant to which any restriction of a person's legitimate right due to his/her disability entailing meaningful violation of this right shall be punished with various penalties, including deprivation of liberty up to 5 years.

51. The Law on Social Security of Disabled Persons provides for the following:

- Creation of necessary conditions in order that persons with disabilities could freely use the social infrastructure;
- Medical, professional and social rehabilitation of persons with disabilities by the State;
- Education and professional training of persons with disabilities;
- Provision of labor rights and security of relevant labor conditions for persons with disabilities;
- Social allowance for persons with disabilities;
- The right of persons with disabilities to establish non-governmental organizations.

As to NGOs founded by persons with disabilities, it should be mentioned that the Law stipulates special tax advantages for such organizations (Article 32).

52. Certainly, all provisions of above-mentioned Law also cover women with disabilities. Special Department on Affairs of Disabled Persons exists within the Ministry of Labor, Health and Social Affairs.

Article 5

53. The comments of the initial report about social roles of men and women within Georgian society where the men keep predominant position still remain valid. At the same time, some steps were taken to overcome the above-mentioned situation.

54. As it was noted above, in compliance with the Presidential Decree of August 28, 1999 (#511) the Ministry of Education was instructed to carry out gender analysis of textbooks. According to the information provided by this Ministry, in the course of elaboration of new textbooks particular attention is to be paid to the gender issues. The Ministry of Education is going to publish special guidelines on the questions of gender equality and prohibition of discrimination based on sex, which are to be used by the authors of these textbooks.

55. A number of NGOs deals with gender-related issues and human rights of women, as it was described in the Section "Institutional Framework" of the present report. Lately the activity of these NGOs has gradually increased.

56. In conformity with the new Criminal Code, compulsion to sexual intercourse, in particular, with exploiting of official dependence of a victim, or under the menace of disclosure of disgracing information about a victim, shall be punished with a fine, of correctional labor up to one year, or imprisonment up to 2 years (Article 139). During the period under consideration no criminal offences of such kind against women were recorded.

57. As regards the steps taken by the State to protect women against any kind of violence within the family, at the work place, or any other area of social life, reference is made to the comments of the present report, devoted to Article 2 of the CEDAW ("Plan of Action on Combating Violence against Women for 2000-2005").

58. During the period under review the number and influence of women at leading positions in the mass media and advertising business have gradually increased.

59. As it was mentioned in the initial report, no discriminatory practices in connection with polygamy, dowry systems, repudiation, etc. exist in Georgia. At the same time, according to the Ministry of Internal Affairs, in recent times many criminal cases were instituted owing to the violation of the article of the Criminal Code envisaging sanctions for illicit restriction of the woman's personal liberty in order to marry her. In 2002, 65 criminal proceedings on such acts were initiated by law enforcement bodies. In the first six months of 2003, the above bodies have already instituted 34 cases on the crimes under review. Meanwhile, the Ministry of Internal Affairs considered it expedient to note that normally it is not easy for law enforcement bodies to elicit such facts, because victims are reluctant to inform police of them, unless grave consequences have taken place (e.g. severe body injuries were inflicted, due to which the victim has to be placed to a medical facility, etc.).

Article 6

60. In the context of this Article of the CEDAW, special Section of the Action Plan on Combating Violence against Women has to be noted first. In order to provide prevention and elimination of trafficking in women, to condemn trafficking for the purpose of sexual exploitation as an infringement of the basic principles of human rights, the following measures are stipulated by the Plan:

- To define trafficking in all its elements and reinforce the sanctions accordingly;
- To collect data on trafficking for the purpose of sexual exploitation, work out programs for protection of its victims;
- To facilitate co-operation among law enforcement, migration, social, legal and administrative bodies for elimination of trafficking in women.

61. In accordance with the Plan, the measures listed above are to be undertaken by the Ministries of Internal Affairs and on Refugees and Accommodation, as well as, by the Prosecutor's Office of Georgia. The Parliament of Georgia and NGOs also play important role in this matter.

62. On 17 January 2003 the President of Georgia approved, by his Decree, the Plan of Action against Trafficking (2003-2005). According to this Plan, the following tasks are considered as priorities:

- Implementation of legislative measures to ensure protection of rights and interests of the victims of trafficking, especially the most sensitive and vulnerable groups – women, adolescents and children;
- Prevention of trafficking by launching various awareness-raising campaigns for potential victims;
- Provision of social, psychological and other rehabilitation and assistance to the victims of trafficking;
- Criminal prosecution and punishment of perpetrators with respect to the crime of trafficking;
- Implementation of permanent monitoring of the activities carried out within the framework of the Plan.

63. The preamble of the Decree states: "Georgia condemns trafficking in persons, which constitutes a violation of human rights and an offence to the dignity and integrity of the human being, notes that Europe has recently experienced a considerable growth of activities connected with trafficking in human beings, which is often linked to organized crime, and considers it necessary to take effective measures to combat trafficking in human beings". This means that the Government of Georgia recognizes that trafficking in persons represents one of the greatest challenges in the sphere of human rights today.

64. Lately the US State Department categorized Georgia as a "Tier 3" country that fails to meet minimum standards for combating trafficking in persons. It was a big surprise for Georgia because the country has been moved from "Tier 2" to "Tier 3" at the moment when the Government has begun taking very serious steps to combat trafficking. Within 90 days the Government of Georgia was urged to give information on prevention, prosecution and protection measures taken to combat trafficking.

Below the actions performed in the period under review are listed:

- In July 2003 the Department of Human Rights Protection, Intellectual and Humanitarian Security Issues of the National Security Council of Georgia and the Office of Public Defender in cooperation with the International Organization of Migration organized the Round Table entitled "The Plan of Action against Trafficking (2003-2005), Taking Stock of Development and Enhancing Government Coordination". Representatives from the Office of the National Security Council, various ministries concerned, Prosecutor-

General's Office, Council of Justice, National Central Bureau of Interpol in Georgia, State Department of the State Boarder Defence, State Customs Department, State Department for Tourism, the State Television and Radio Department, international organizations, embassies and mass-media participated in it. A series of recommendations on specific measures against trafficking was elaborated at the Round Table;

- Fliers have been distributed at airports and railway stations, at the places of arrival and departure of the passengers in the whole state;
- The NGO "Former Political Prisoners for Human Rights" and the Department of Human Rights Protection and Intellectual and Humanitarian Security Issues held training in 45 district police departments, these training were of informative character informing police staff on requirements of the anti-trafficking Presidential Decree;
- Trainings were held in all district police departments and the Tbilisi Main Police Department in July 2003. Police officers were trained on the spot to work with the most vulnerable groups, potential victims of trafficking who are already back but are reluctant to address to law enforcement bodies. On request of Ministry of Internal Affairs, the ABA-CEELI Criminal Law Program organized a seminar on trafficking for the police officers in various districts of Imereti, Guria, Zemo-Svaneti, Racha-Lechkhumi and Kvemo Svaneti regions of Georgia;
- The brochures, posters and fliers submitted by NGOs and IOM have been distributed in all passport offices of Georgia;
- OSCE Mission to Georgia, together with the Young Lawyers Association and in close cooperation of the Ministry of Justice and Department on Human Rights of the National Security Council of Georgia and the Ministry of Internal Affairs, launched a project on elaboration of the special law on trafficking and harmonization of the legislation. The Ministry of Justice in cooperation with NGOs are currently elaborating guidelines on usage of changes on articles of trafficking in the Criminal Code;
- The State Department for Tourism of Georgia in cooperation with the Ministry of Justice has been elaborating the draft law "On Tourism Register" enabling revealing and prohibiting both licensed and non- licensed agencies involved in sex-tourism and other felonious activities;
- The State Department of Sport of Georgia established a special commission to prevent cases, when illegal migrants are leaving Georgia as members of various sport teams. Unfortunately, there were many cases, when Georgian citizens left the country with the groups of sportsmen and did not come back with the group;
- The Ministry of Culture created a Commission to establish strict control over art groups and ensembles travelling abroad to avoid getting unauthorized persons into them;
- The Ministry of Education, in close co-operation with the governmental agencies concerned and several NGOs, held training for children's home directors to raise their awareness on trafficking-related issues;
- Georgian Office of the Centre against Trans-National Crime and Corruption organized a seminar at the Tbilisi State University devoted to the issues of trafficking. Students and scholars expressed great interest in these issues therefore the discussion of the problem was interesting and efficient;

- The Ministry of Foreign Affairs elaborated a model "Agreement between Georgia and ..... on Mutual Assistance in Combating Trafficking in Persons". The document has been sent to relevant ministries for comments and recommendations;
- Within the framework of the program entitled "Building NGO Capacity on Combat Trafficking in Human Beings in South Caucasus" NGO "People's Harmonious Development Society" held training for trainers on the issue of prevention of trafficking in human beings. The principle of the anti-trafficking awareness raising project is to train regional trainers on anti-trafficking issues and give the skills to organize the awareness raising seminars in their home regions. Following that, in each region 5 training will be held for target groups by December, 2003;
- In August 2003 a meeting on trafficking-related issues was convened by Secretary of the National Security Council of Georgia. Representatives of the Embassy of USA in Georgia, First Deputy Minister of Internal Affairs, the Head of Anti-Trafficking Unit and Deputy Secretary of the National Security Council on Human Rights Issues attended the meeting. Measures already taken and plans for near future were discussed;
- The Department on Human Rights Protection, Intellectual and Humanitarian Security Issues of the Office the National Security Council applied to consulates of Georgia abroad asking them to provide information on Georgian citizens who are illegal migrants, victims of trafficking, number of deported citizens and assistance they provided for our citizens at the place. The conclusion that is to be made from these answers is that the number of illegal migrants have significant trend to be decrease. In recent times no victim of trafficking has applied to our consulates.

65. On January 29, the Anti-Trafficking Unit was established within the Ministry of Internal Affairs. Amendments to the Criminal Code criminalizing trafficking in persons and trafficking in minors, and imposing relevant sanctions for this crime (Article 143^{1} and Article 143^{2}) were passed by the Parliament of Georgia. The Law entered into force on July 10, 2003.

66. In conformity with the above amendments, selling or buying of persons (minors), or subjecting them to other illegal deals, also recruiting, transporting, harbouring or taking them on for purposes of exploitation, with the use of force, blackmail or deception is punishable by imprisonment up to 12 years The same offence, committed repeatedly, against two or more persons, against a pregnant woman, knowing about her pregnancy, with the abuse of official authority, by taking a victim abroad, with the use of life threatening or heath threatening violence, or threatening to use violence, knowingly, against a vulnerable person, or against a person, who is financially or otherwise dependant on the offender is punishable by imprisonment from 8 to 15 years. Offence, stipulated by first and second paragraphs of this article committed by an organized group, which resulted in a death of a victim or caused other serious consequences, is punishable by imprisonment from up to 20 years or life imprisonment (in the case of minor victim).

67. In 2002, 471 criminal cases have been instituted against persons who were preparing false documents for leaving abroad. As a rule, the criminals promising citizens to arrange employment abroad extorted money from them.

68. Recently Anti-Trafficking Unit of the Ministry of Internal Affairs and Human Rights Department of the Prosecutor-General's Office have established special hotlines. The Prosecutor- General's Office and the Ministry of Internal Affairs submitted the numbers of hotlines in all regions of Georgia. These hotlines are being advertised by central and local TV channels. Training with hotline operators of prosecutors' offices and departments of Ministry of Internal Affairs from all the regions of Georgia was held in September 2003.

69. Thanks to all above-mentioned measures Georgia has been returned to the "Tier 2" group, which means that the State has succeeded to address the problem of trafficking and for the time being the situation in this field has become more manageable.

70. In July-October 2003 four criminal proceedings have been instituted in Georgia in connection with the crimes of trafficking. Investigation on these cases is under way.

71. As noted in the initial report of our country, in conformity with the law in force prostitution as such does not constitute a crime. At the same time, according to the new Criminal Code, the following acts are classified as crimes:

- Inveigling into prostitution through use of violence, threat of violence or of destruction of property, as well as by blackmail or fraud (Article 253);
- Keeping of the den or premises for prostitution (Article 254);
- Inveigling a minor into prostitution or other sexual lechery (Article 171, Paragraph 1);
- Compulsion of a person to sexual intercourse (Article 139).

Various sanctions are imposed for commitment of these crimes: from fine to imprisonment up to 2-5 years.

72. Furthermore, pursuant to the Criminal Code, illegal production or distribution of pornographic materials and items (Article 255) and inveigling of a minor into illegal production or distribution of pornographic materials or items (Article 255^1) are also considered crimes.

73. According to the Ministry of Internal Affairs, during the period under review very few criminal cases were initiated on prostitution-related crimes. During the same period law enforcement institutions elicited several facts when minor girls were inveigled into prostitution. Within the framework of Presidential Program on Social Protection, Professional Training and Prevention of Delinquency in Adolescents (1996-1999), special rehabilitation centers were set up for children in conflict with the law. Minor prostitutes are also sent to these centers where they have the opportunity to get comprehensive education and development. These activities will be continued within the framework of Common National Plan of Action for Children's Assistance in Georgia (2003-2007), approved by Decree of the President of Georgia of 8 August 2003.

74. It has to be mentioned that means of the media give significant consideration to the problem of prostitution in Georgia. It is frequent occurrence when an independent newspaper

publishes relevant article or interview with a prostitute. The conventional opinion is that prostitution in Georgia is conditioned by high level of poverty and social-economical hardship owing to which women often are unable to earn their living in other way. Within the period under discussion vivid public discussions took place concerning creation of legal framework for prostitution (i.e. the question is to turn prostitution into an ordinary profession). According to Chairperson of the Parliamentary Committee of Human Rights, about 100 Georgian prostitutes applied to the Parliament with such a request. Meanwhile, some human rights advocates (e.g. Public Defender, Deputy Secretary of the National Security Council and a number of NGOs) were against solving the problem in this manner. Discussions on this matter are still under way.

75. According to the data provided by the Ministry of Labor, Health and Social Affairs, in 2001 total number of women with sexually transmitted diseases was 1 386. In 2002 these figures made up to 1 597. According to the data available, among women who have sexually transmitted diseases about 30-40 per cent are prostitutes. In this connection it should be noted that on March 30, 1998 the President of Georgia issued Decree #110 "On Measures Aimed at Prevention of Sexually Transmitted Diseases", according to which (a) the Ministry of Health was instructed to provide free medical treatment of prostitutes, if necessary and (b) the Ministry of Internal Affairs was instructed to bring prostitutes to the relevant medical institutions, in order to expose those suffering from sexually transmitted diseases.

76. As noted in the initial report, there is no statistics in Georgia regarding violence against prostitutes. As to sexual violence against women on the whole, according to the Ministry of Internal Affairs, in 2000-2003, 134 cases of rape and 87 cases of rape attempt were registered. In conformity with the data provided by the above Ministry, total number of crimes, including sexual ones, against women has a tendency to increase. For instance, in 2002 52 cases of rape were registered and in the first six months of 2003 these figures have already amounted to 31.

77. Measures to prevent and combat HIV/AIDS are implemented within the framework of the Law on Prevention of HIV/AIDS adopted on March 21, 1995. In compliance with the Decree of the President of Georgia issued in October 1998, governmental Commission for Combating HIV/AIDS and Sexually Transmitted Diseases was established to direct and coordinate activities of the state bodies concerned. In March 2002 the President of Georgia charged the Commission with elaborating a State (interdepartmental) program for the prevention of HIV/AIDS, which is supposed to be implemented in 2003-2007. At present this assignment is being executed.

78. Since 1999 the Ministry of Labor, Health and Social Affairs has been carrying out a State program entitled "Safe Blood, Prevention of HIV/AIDS and Sexually Transmitted Diseases", which three other respective state programs were integrated in. The mentioned program envisages (a) free mandatory medical examinations of blood donors to expose HIV infection, B and C type hepatitis, and syphilis, (b) free medical examinations of persons belonging to increased risk groups to expose HIV infection, (c) measures to expose actively sexually transmitted diseases, (d) clinical control over the HIV/AIDS-infected persons, (e)

training of medical personnel and (f) awareness-raising and promotion of the healthy way of life in the community.

79. Pursuant to the decision of the Global Fund against HIV/AIDS, Tuberculosis and Malaria, in January 2003 Georgia has received financial assistance to carry out a project entitled "Promotion of the National Retaliatory Measures on HIV/AIDS Aimed at Efficient Implementing Steps of Preemption and Control in 2003-2007". The main objectives of the project are as follows:

- Improvement of the legislative basis on HIV/AIDS-related issues;
- Prevention of HIV/AIDS among intravenous drug addicts;
- Prevention of HIV/AIDS and sexually transmitted diseases among prostitutes;
- Prevention of HIV/AIDS among young people;
- Promotion of the safe blood;
- Prevention of HIV/AIDS transmission from the mother to the child;
- Medical care and treatment of persons suffering from HIV/AIDS.

80. According to the Ministry of Labor, Health and Social Affairs, in 2003, 457 HIV-infected patients are officially registered in Georgia, out of which 70 are women. In 2002, 95 new cases of HIV were exposed. It should be noted that, in opinion of the WHO and local experts, officials figures do not reflect adequately real situation with respect to HIV/AIDS and total number of persons suffering from HIV/AIDS amounts to 2 000. Data available within the last 6 months demonstrate that the quantity of HIV/AIDS cases in Georgia is in increase. For instance, in 1999 – 35, in 2000 – 79, in 2001 – 93, and in 2002 - 95 new cases of this disease were registered. The main risk-factor in this regard has been intravenous drug addiction (70% of registered cases). No children suffering from AIDS are registered in Georgia. It is advisable to add in this context that, in compliance with Article 131 of the Criminal Code, intentional infecting/attempted infecting with HIV/AIDS is a crime that is punished with deprivation of liberty 5 to 10 years (depending on absence/existence of aggravating circumstances).

Article 7

81. Constitutional and legislative guarantees providing equality between men and women in the political and public life of the country, as prescribed by Article 7 of the CEDAW, were reflected in the initial report and remain in force.

82. In the context of the present Article it should be noted that unfortunately the representation of women on decision-making levels of the legislative and executive powers has not significantly changed. In the Parliament elected on October 31, 1999 there are 17 women-Members of Parliament (out of 235 MPs). At the same time, it should be stressed that at the end of 2001 a woman who previously headed the Parliamentary Committee on Foreign Affairs has been elected the Chairperson of the Parliament. It is believed that this decision of the higher legislative body of Georgia may be considered as an unambiguous message for the further advancement of women in political life. The Parliamentary Committee on Human Rights is

headed by women. As to the executive power, the new Government was formed after Presidential elections held on April 9, 2000. Three Ministries – of Justice, Culture and on Environment and Ecology – are headed by women. Two women are First Deputy Ministers - of Education and of Labor, Health and Social Affairs. Five women are the Deputy Ministers – of Labor, Health and Social Affairs, Justice, Economics, Industry and Trade, Culture, Education, Foreign Affairs. A woman – Deputy Minister of Culture of Georgia is simultaneously Minister of Culture of Abkhazian Autonomous Republic. As for local self-government, in 1999, 1518 women (14%) were elected members of these bodies. Seventy women headed the local self-government bodies – Sakrebulo (7%).

83. Women are much better represented in the judiciary. According to the Georgian Council of Justice of Georgia, for the time being there are 325 judges in the country, out of which 109 are women. Out of 36 judges of the Supreme Court of Georgia 14 are women. Total number of judges at the Tbilisi and Kutaisi Circuit Courts is 82 and 47 of them are women. As regards other Georgian courts of general jurisdiction, 159 judges have been performing their duties there, including 43 women. It seems to be obvious that this state of affairs may easily be explained by the fact that women lawyers have benefited from the rules for selection of judges, which enabled them to compete with men on an equal footing; as a result, women judges constitute quite a significant part of Georgian judiciary.

84. The information contained in the initial report concerning participation of women in political parties and trade unions remains valid. At the same time, there are some noticeable signals of advancing women to leading places in the political life. For instance, in the eve of 2003 parliamentary elections at least two women politicians have been at top positions at the most influential political associations taking part in the elections in question. It should be stressed, as well, that in September 2003 the Parliament of Georgia considered legislative initiative on presenting 25% of women in electoral lists of political parties. This proposal received significant, even though not sufficient support (68 out of 235 MPs). Nevertheless, it gives good reason to believe the next Parliament will address this problem in a more successful way.

Article 8

85. As it was noted in the initial report, Georgian legislation contains no restrictions regarding the appointment of women to diplomatic posts. Women enjoy the same rights as men with respect to filling of vacant diplomatic posts. In our opinion, in the context of Article 8 it is expedient to cite the information provided by the Ministry of Foreign Affairs.

86. In compliance with the Presidential Decree about the Measures on Strengthening the Protection of Human Rights of Women, the Ministry gives particular consideration to participation of women in the process of negotiations.

87. In 2000, 339 diplomats, including 123 women, worked at the central office of the Ministry of Foreign Affairs. Women were also adequately represented at decision-making

positions: Deputy Minister, three heads of various departments, heads of divisions, advisers, etc. are women. Two women held the posts of Ambassadors Extraordinary and Plenipotentiary.

88. In 2003, 157 women have worked at the central office of the Ministry of Foreign Affairs and 47 women have worked at the diplomatic missions of Georgia abroad. As mentioned before, Deputy Minister of Foreign Affairs is a woman. One woman heads a department of the Ministry and another one is an ambassador for special missions. Two women keep holding the posts of Ambassadors Extraordinary and Plenipotentiary being at the head of Embassy of Georgia to Italy and Permanent Mission of Georgia to the Council of Europe. It should be noted three women MPs (out of 8 members) are included in the delegation of Georgia at the Parliamentary Assembly of the Council of Europe. Two women - Chairperson of the Parliament and one of the MPs - are members of Georgian delegation at the Parliamentary Assembly of the European Union. Chairperson of the Parliament of Georgia is also a member of Georgian delegation at the OSCE Inter-Parliamentary Assembly and Vice-Chairperson of the Assembly.

89. It is noteworthy that women are not actively involved in preparation and the process of negotiations. Only one woman – Deputy Secretary of the National Security Council of Georgia on Human Rights Issues – is a permanent member of the Coordination Council that was established within the framework of negotiations to solve the conflict on Abkhazia. Women-diplomats also participate in various negotiations depending on the directions of their activities. As to women proposed by the State to fill vacancies within the UN system and other regional and international organizations, it should be noted that 16 Georgian citizens are currently engaged at various positions within the system of the Council of Europe, out of which nine are women. According to the information available, for the time being no women-citizens of Georgia is presented at the UN bodies outside Georgia. At the same time, many our citizens, including women, have been working at local missions of various international organizations. Normally, selection of local staff is being carried out independently by the international organization concerned based on its specific rules and requirements, as well as depending on the applicants' personal qualifications, skills and abilities.

Article 9

90. The information adduced in the initial report concerning nationality-related issues, remain valid. No changes or amendments to the Law on Citizenship regarding the nationality of women have been adopted during the period under discussion.

Article 10

91. The right to education is guaranteed by the Constitution of Georgia and the law. In this regard the reference is made to the initial report of Georgia. In the present report certain statistical data are provided concerning the right to education for women and men (see Tables below).

92. Number of Pupils of General Education Schools ***Table 1***

School Year	Girls	Boys
1996/1997	348 707	369 083
1997/1998	352 197	369 615
1998/1999	354 244	368 270
2000/2001	344 290	353 118
2001/2002	335 257	345 581
2002/2003	325 559	338 469

93. Number of Pupils of Primary Vocational Schools ***Table 2***

School Year	Girls	Boys
1997/1998	4 386	8 413
1998/1999	4 718	9 622
1999/2000	5 735	10 244
2000/2001	3 992	10 273
2001/2002	3 402	8 416
2002/2003	2 881	7 523

94. Number of Pupils of State and Non-State Specialized Secondary Schools ***Table 3***

School Year	Girls	Boys
1996/1997	18 256	13 897
1997/1998	20 318	14 890
1998/1999	22 891	16 694
2000/2001	19 131	13 390
2001/2002	17 806	12 179
2002/2003	17 276	10 897

95. Number of Students of State and Non-State Higher Educational Establishments ***Table 4***

School Year	Girls	Boys
1996/1997	65 203	59 033
1997/1998	62 218	64 177
1998/1999	67 156	61 170
2000/2001	67 994	70 976
2001/2002	73 312	74 121
2002/2003	74 756	78 932

96. Distribution of Students of Higher Educational Establishments By Branch Groups in 2002/2003 Academic Year (per cent) *Table 6*

Name of Branch	Girls	Boys
Healthcare	78	22
Arts and Cinematography	74	26
Education	61	39
Economics and Law	54	56
Agriculture	36	64
Industry and Construction	32	68
Physical Training and Sports	30	70
Transport and Communications	10	90
Other	70	30

97. In the context of Article 10 it should be noted that since 2000 the State budgetary allocations for education have tended to increase. In particular:

- In 2000 in was allocated 212,5 million Lari (3,5% of GDP);
- In 2001 it was allocated 248,5 million Lari (3,7% of GDP);
- In 2002 it was allocated 285,6 million Lari (3,8% of GDP).

98. Within the framework of consideration of the initial report of our country in the Committee on the Elimination of Discrimination against Women the matters of financial-budgetary crisis our State has experienced and which has resulted in significant reduction of the state expenditures were discussed in details. Georgia still faces hardships in this regard, but despite this the Government has always tried to find resources to finance, as adequately as possible, the educational system.

99. Traditionally, level of education of women in Georgia is very high. School drop-out rates, both of girls and boys, is not high and have never exceeded 0,6-0,7 per cent annually.

100. As to the availability of educational information regarding the health and well-being of family, reference is made to the initial report (Paragraph 69). It has to be noted in this context that for the time being dozens of special consulting reproductive health offices has been functioning in many cities throughout Georgia. At these consulting offices one can receive information and advices on family planning, contraceptives, etc. This project has been implemented in co-operation of a Georgian NGO and Jones Hopkins University (USA), with participation of the Ministry of labor, Health and Social Affairs, and with the assistance of Georgian Institute of Reproductive Health.

101. The Ministry of Health and Social Affairs has permanently charged the local and regional department (services) on healthcare with taking measures concerning dissemination of

the respective information among population on matters related to reproductive health and family planning.

102. Since 1997, within projects sponsored by the UNFPA, many original books, brochures, leaflets in Georgian and Russian have been published in Georgia that deal with the problems of health and well-being of family. Local media means inform, on a regular basis, population of basic principles concerning women's reproductive health.

103. Since October 2000 international fund "Curatio" has been implementing in our country a project entitled "Initiative for Safe Motherhood in Georgia". The project has been financed by the USAID/CAUCASUS and its main goal is to improve mothers' health conditions at the regional level by enhancing integration of the mother and the child. The project is mostly concentrated on the primary healthcare problems.

Article 11

104. Detailed description of the constitutional and legislative guarantees in the field of women's employment is given within the initial report of Georgia. During the period under consideration, no significant changes in this regard have been made.

105. As regards the General Recommendations on Violence against Women adopted by the Committee on the Elimination of Discrimination against Women (eighth and eleventh sessions in 1989 an 1992), it should be advisable to mention once more the Action Plan on Combating Violence against Women approved by the Decree of the President of Georgia. The plan stipulates, inter alia, as follows:

- To increase awareness of society on professional violence (including sexual harassment at work place);
- To work out laws on this form of violence envisaging resolutions of the United Nations, basic human rights instruments and legislation of civilized countries.

106. In accordance with this Plan, the implementation of the above-mentioned tasks is only possible in close co-operation of the state bodies (Ministries of Justice and of Labor, Health and Social Affairs) and non-governmental institutions (e.g. Public Defender), trade unions, with assistance of the media. Duration of the Plan was 2000-2002.

107. In the context of the problem of professional violence, the Criminal Code in force stipulates that coercion to sexual relationships by using, inter alia, employment dependence of a victim shall be punished with a fine, or one-year correctional labor, or deprivation of liberty up to three years (Article 139). According to the Ministry of Internal Affairs, no criminal cases under this Article have been instituted within the covered period.

108. For statistical data related to the women's rights to work, employment, etc. as provided by Article 11 of the CEDAW, see the following Tables.

109. Distribution of the Population of Georgia
By Economic Status and Sex (Thousand Persons) ***Table 7***

	2001		2002	
	Women	Men	Women	Men
Population Aged 15 and Older	1 750,4	1 440,7	1 775,0	1 464,5
Economically Active Population (Manpower)	1 019,7	1 093,6	994,6	1 109,6
Total Number of Employed of which:	911,0	966,7	885,1	954,1
Hired Workers	318,3	336,0	317,9	333,0
Self-Employed	551,9	584,0	566,5	618,4
Unemployed	108,7	126,9	109,5	155,5
Unemployment Rate, %	10,7	11,6	11,0	14,0
Economically Inactive Population	730,7	347,1	780,4	354,9

110. Distribution of Employed by Ownership Types (Thousand Persons)
In 2002 ***Table 8***

	Women	Men
State Sector, Including:		
State-Owned Enterprise	190,3	136,7
Budget-Financed Organization or Establishment	38,7	59,4
Non-State Sector, Including:		
Non-State Enterprise	79,3	123,6
Foreign/International Organization	4,4	8,5
Joint-Stock Enterprise/Organization	2,2	2,4
Other	3,1	2,3

111. Distribution of Wages and Salaries by Ownership Types
In 2002 (GEL) ***Table 9***

	Women	Men
State Sector, Including:		
State-Owned Enterprise	75,9	165,0
Budget-Financed Organization or Establishment	51,9	94,2
Non-State Sector, Including:		
Non-State Enterprise	99,6	159,5

Foreign/International Organization	404,4	297,4
Joint-Stock Enterprise/Organization	120,0	503,9
Other	65,1	93,9

112. Distribution of Employed by Economic Activity Type
(Thousand Persons)

Table 10

	2001		2002	
	Women	Men	Women	Men
Agriculture, Hunting, Forestry, Fishing	5,3	12,9	5,5	15,9
Mining or Processing Industry	23,2	58,7	18,3	50,6
Energy, Gas and Water Supply	5,6	23,4	5,7	20,7
Construction Industry	2,1	17,8	0,9	21,9
Trade, Commodity Renovation	27,6	30,6	33,0	37,7
Transportation and Communications	18,5	46,0	14,2	41,2
State Governing and Defense	34,9	72,4	32,5	74,6
Education	112,6	33,2	103,2	23,8
Healthcare	55,5	14,3	49,9	10,4
Culture, Sports, Leisure	18,9	20,2	24,8	18,3
Other Branches	27,3	24,0	28,6	16,0
Total	331,5	353,5	316,7	331,2

113. It is worth mentioning that recently a few women-military servants have voluntarily enrolled Georgian Army.

114. Distribution of Self-Employed by Status of Employment and Sex
(Thousand Persons)

Table 11

	2001		2002	
	Men	Women	Men	Women
Individual Entrepreneurs/Employers	2,5	7,3	4,6	22,1
Individual Entrepreneurs Without Employed Workers	226,6	482,9	156,9	285,9
Persons Employed At Family Enterprises/Households Without Reimbursement	474,9	225,1	322,9	188,8
Members of Industrial Cooperatives	0,3	07,	2,0	1,7
Other	6,9	7,7	2,4	6,6
Total	711,1	723,7	559,7	612,7

115. In addition to these statistical data, it should be noted the following: (a) average salary of women, in comparison with remuneration of men, is still behind, both in the state-owned and private sectors and (b) despite the fact that the principle "equal pay for equal work" is strictly observed, and regardless their educational level, a number of women has been employed at low-paid positions compared with men.

116. In the context of Article 11, reference is made to the initial report of Georgia on the implementation of the Convention on the Elimination of All Forms of Racial Discrimination (document CERD/C/369/Add.1), Paragraphs 190 - 215.

Article 12

117. The Constitution states that everyone has the right to health insurance as a means of securing accessible medical care. The law specifies that in certain circumstances medical care is provided free of charge (Article 37, Paragraph 1). The Constitution does not contain any special norms relating to the right to social security and social services. However, the State is under an obligation to promote the welfare of the family and protect maternity and childhood (Article 36, Paragraphs 2 and 3).

118. The right to public health and medical care is regulated by the Law on Healthcare and the Law on Medical Insurance. The Law on Healthcare states that one of the central tenets of Government health policy is a pledge to provide universal and equal access to medical care in the form of appropriate medical programmes. No patient may be discriminated against on the grounds of race, skin colour, language, sex, religion, national, ethnic or social origin, or sexual orientation (Article 6). All Georgian citizens have the right to obtain accessible, full and objective information about the state of their health, except when such information would cause the patient significant harm (Articles 7 and 41).

119. Under the terms of the Law on Medical Insurance, State medical insurance is compulsory for all Georgian nationals and stateless persons resident in Georgia. The system is designed to cover all medical expenses incurred under State medical programmes (Article 2). Foreign nationals living and working in Georgia must participate in the State medical insurance scheme unless an international treaty specifies otherwise (Article 3, Paragraph 2). All residents of Georgia are entitled to take out voluntary medical insurance, to choose a physician or medical institution in accordance with the terms of their insurance contract, and to receive a full range of treatment (Ibid. Paragraphs 3-5).

120. The restructuring of the Georgian health-care system, which began in 1995, aims to introduce an essentially new organizational structure into the public health service, based on sound economics and free from political influence and ideological restrictions. To date, the reforms have yielded a qualitatively new organizational and administrative model for the health-care system, and appropriate institutions have been established at both the central and local levels. More than 1,500 medical institutions have become financially autonomous, and preventive medical and pharmaceutical institutions have been licensed. The transition to management by objectives has made it possible to highlight priorities and identify minimum public health-care requirements (core services) which the

State finances through central and municipal programmes. The number of medical institutions, including their staff is being optimized through licensing, certification, privatization and consolidation. Privatization of the network of pharmacies has helped to eliminate the shortage of medicines.

121. No statistics has been compiled on patient nationality. The main problem regarding the exercise of the right to medical care is the population's inability to pay, which has negatively affected accessibility to treatment not provided under State programmes.

122. As mentioned above (see paragraph 74 of the present report), according to the Ministry of Labor, Health and Social Affairs, in 2003, 457 HIV-infected patients are officially registered in Georgia, out of which 70 are women aged 21-35. There have only been rare cases of transmitting HIV from the mother to the child, but it should be taken into account that up to date HIV-testing of pregnant women is voluntary and a restricted number of women has undergone it. Within the framework of the respective State program, HIV-infected women are granted free diagnostic services and symptomatic treatment. It should be stressed that there is no HIV-related discrimination in Georgia; at the same time, the Ministry of Labor, Health and Social Affairs notes that negative approaches towards AIDS are strong enough in Georgian society and normally HIV-infected women have been trying to keep their diagnosis confidential, in order to avoid possible societal pressure linked to their health condition.

123. As noted in the initial report, special Department on Mothers and Children Affairs has been established within the Ministry of Health (at present – the Ministry of Labor, Health and Social Affairs). In accordance with the Order of Minister of Labor, Health and Social Affairs #140m (23 June 2000), this Department is commissioned to strengthen control over quality of medical assistance rendered to women and children. Besides, local and regional agencies of the Ministry were entrusted with working out and taking measures to improve quality of medical assistance rendered to women and children, to implement permanent control over health conditions of working women, etc.

124. The initial report of Georgia contains data on the number of doctors, dispensaries and other facilities, existence of special services for women (e.g. in connection with their reproductive health), and on the access to prenatal and postnatal care. In this connection only some updated information is given below.

125. According to the Center for Medical Statistics and Information of the Ministry of Labor, Health and Social Affairs, currently various medical services are available to women at 52 maternity houses, 44 obstetrical-gynecology units, 18 independent women consulting units and 30 women consulting units attached to maternity houses, 2 independent obstetric stations and 306 obstetric stations attached to various medical facilities. In total, 20 225 physicians and 23 356 support medical workers are engaged in the healthcare system of Georgia; out of them 1 050 are gynecologists and 2 520 paediatrists.

126. As to the problem of abortions, the following should be noted. In 1998 total number of abortions in Georgia was 21 000, of which mini-abortions – 6 800. In 2000 these data were

14 900 and 5 400, respectively. In 2001 the figures in question constituted 15 000 and 5 300, and in 2002 – 13 908 and 5 143, correspondingly. In 1998 number of abortions among women at the age 15-19 years was about a thousand, in 2000-2002 – some 600 per year. In 1998 number of abortions of women being pregnant for the first time, was 3000. In 2000-2002 these figures have significantly decreased, currently not exceeding 200 per year. The Ministry of Labor, Health and Social Affairs has tasked its local agencies to undertake the measures aimed at reducing of number of abortions, at the expense of special educational activity on contemporary methods of family planning.

127. According to the Criminal Code of Georgia, illegal performance of abortion is punished with a fine, or with society useful labor for 100-240 hours or with correctional labor for 1-2 years. The same crime committed by a person previously convicted for performance of illegal abortion, or which entailed grave consequences, shall be punished with imprisonment– up to 3 years. Illegal performance of abortion, which resulted in death of a victim, shall be punished by imprisonment – up to 5 years (Article 133, Paragraphs 1-3).

128. For main demographic and other statistical data in indicators, in the context of provisions of Article 12, see the Tables below.

129. ***Table 12***

Year	Number of Births	Birth Rate	Maternal Mortality (number)	Infant Mortality Indicator
1997	52 000	10,7	37	15,3
1998	46 800	9,1	34	15,2
1999	40 778	8,9	18	17,5
2000	40 400	8,9	23	14,9
2001	46 370	-	27	-
2002	45 263	-	21	15,2

130. Deliveries in 2001 and 2002 ***Table 13***

	Number of Deliveries	Physiological Deliveries	Pathological Deliveries	Caesarian Sections
2001	46 370	-	-	-
2002	45 263	35 766	9 021	4 778

131. Still Births and Early Neonatal Deaths in Maternal Homes, Georgia, 2002 ***Table 14***

Number of Livebirths	Number of Early Neonatal Deaths	Rate per 1000 Livebirths	Number of Still-Birth	Rate per 1000 Livebirths
45 033	614	13,63	702	15,2

132. Infant and Child Mortality in 2002 ***Table 15***

Age	Number of Deaths	Rate per 1000 Livebirths
0-6 Days	614	13,63
7-28 Days	122	2,71
29 Days -1 Year	116	2,6
Total 0-1	907	20,14
0-14	1 091	-

133. According to the Ministry of Labor, Health and Social Affairs, no special statistical information on industrial accidents involving women is collected in Georgia. The data in question is disaggregated by economy branches, ages and durations of labor activity. In the general indicator for work-related injuries, women account up to 2,5 – 3 per cent, and they account up to 40 per cent of persons suffering from occupational diseases.

134. Regarding drug addiction among women compared with men, it should be noted that in 2000-2002, in accordance with official data, 104 women and 3 600 men were diagnosed as drug addicts for the first time. This was the first result of institution of year-long active monitoring of users of narcotics and the establishment of expert drug-abuse services, as it was mentioned in the initial report. At the same time, the Ministry of Labor, Health and Social Affairs notes that no particular measures to combat drug addiction among women are not implemented in Georgia, as quantity of female drug addicts does not exceed 4% of their total number.

135. In the context of the Article under review, some relevant data regarding children in Georgia were submitted to the UN Committee on the Rights of the Child, in "Replies by the Government of Georgia to the list of issues to be discussed in connection with the consideration of the second periodic report of Georgia on the implementation of the CRC" (document CRC/C/RESP/37, GE.03-43506 (E) 160903).

Article 13

136. The information of the initial report concerning implementation of Article 13 remains valid. Both in legislation and practice, there is no discrimination against women, though the

deterioration of the overall situation in the country still influences negatively the enjoyment of women's rights, as provided for by this Article of the CEDAW.

137. In the context of Article 13, in addition to the data provided by the initial report, the following should be noted. To implement the requirements of Presidential Decree about the Measures on Strengthening the Protection of Human Rights of Women, the Ministry on Refugees and Accommodation has established special procedure, in order to render non-permanent financial assistance to the most vulnerable IDPs and refugees. Within the framework of this procedure, the following categories of internally displaced and refugee women are to receive the mentioned financial assistance:

- Single mothers who have dependant children under the age of 18;
- Mothers of a large family who have no less than 3 children under the age of 18;
- Single retired women unable to work who have no legally responsible bread-winners;
- Wives and children (under the age of 18) of the persons who were killed in action during the conflicts in Abkhazia and Tskhinvali region (former South Ossetia).

138. On August 21, 2000 the President of Georgia issued Decree #380 about Social (Family) Benefits for Indigent Persons, according to which the mentioned benefits are paid to single unable to work retired persons and orphan children. It should be noted that these benefits are granted in addition to the pension that is paid to these categories of citizens. The rate of the benefit was 20 Lari (about 11 USD).

139. In 2002 a total of 12 million Lari was allocated from the budget to social assistance to indigent families. The eligibility requirements for program beneficiaries were broadened, with special emphasis on families with children. In particular, the program was extended to cover families with seven or more children aged below 16 that receive 35 Lari per month. Families with many children do not have to pay for kindergartens or day nurseries, nor are they billed for certain utilities (water and refuse collection). Pursuant to a decision of Tbilisi *Sakrebulo* (city council), families living in the capital receive a lump sum of 50 Lari on the birth of their first and second child. Tbilisi-resident families with many children receive a lump sum of 200 and 500 Lari on the birth of their fourth and fifth child, respectively. Effective this year, the Tbilisi city budget provides for a monthly welfare benefit of 5 Lari per child for families in this category. In addition, Tbilisi-resident families with three or more children are entitled to discounts on their electricity bills as part of a special project sponsored by the USAID. Their consumption of natural gas is also subsidized.

140. In 2003 State budget allocates 14, 4 million Lari to the social welfare program for indigent families. Families with seven or more children aged under 18 are among the beneficiaries of the program in question and they receive 35 Lari per month.

141. There are no social groups in Georgia who would be excluded from the social security system. At the same time, the level of such social security benefits is not sufficient to ensure

the welfare of its beneficiaries. To address this deficiency, the following measures were undertaken:

- In July 2000, the President of Georgia issued Decree on organizational measures to facilitate the development of programs to overcome poverty and promote economic growth in Georgia and, to implement the Decree, a government commission was set up headed by the President;
- Based on the outcome of the work of this commission, in November 2000 the President issued Decree ratifying the interim text of the national programme to combat poverty and promote economic growth.

In cooperation with the World Bank, a special communications strategy was developed, covering both the provision of information and educational measures, to ensure that close contacts are developed with civil society and that people are kept fully informed about this new initiative. The interim version of the national programme was submitted for consideration to international donor organizations.

142. This program elaborated in conjunction with the World Bank and the IMF is designed to run for five to seven years. Among other priorities, the programme covers assistance to single pensioners, the elderly, the disabled and other vulnerable groups. In addition, special attention will be paid to unemployment insurance, the establishment of family and other benefits, food aid and health care for the poorest sections of the population, and the development of social funds. In the context of the present Article it is necessary to note that within the framework of the above government commission a sub-commission was established to ensure gender parameters of the program in all spheres indicated.

Article 14

143. In addition to the data containing in the initial report as to the problems of rural women, the following should be noted.

144. According to the Ministry of Agriculture and Foodstuffs, this governmental body has undertaken certain measures to develop special programs for women in rural areas. In 2000, 145 credit unions existed in Georgia (10 000 members). 4 500 members of these unions were women. For the time being some 3 000 women of them have already made use of credits aimed at development of agriculture sector. At the same time, it should be noted that 17 credit unions were headed by women. In 1997-1999 tea picking has increased twice as much, at the expense of women's labor. This trend persists at the present time, as well. Rural women are also actively engaged in other branches of agriculture (cattle-breeding, collection and selling hazel-nuts, etc.). Rural women's labor is used in selling of farm produce. A number of new jobs is created in these spheres.

145. At the same time, the Ministry of Agriculture and Foodstuffs has developed special state programs within the framework of which particular attention is paid to the creation of new jobs in rural areas, especially of those for women.

146. In recent years, several projects have been implemented in Georgia in order to support economical activity of self-employed women, including those living in rural areas. Microfinance Institution Constanta can be mentioned as an example of such an activity. Constanta's mission is to provide small loans primarily to the poorest women micro-entrepreneurs. Constanta began its activity in October, 1997 with the first sub-grant from UNHCR. Starting from October, 1999 the institution has been receiving monetary funds from the USAID. By the end of 2000, the number of Constanta's active borrowers was about 6 thousand persons.

147. In conformity with recommendations given by the Food Safety Program of the European Commission and pursuant to Decree of the President of Georgia, Information and Counseling Center for Farmers has been founded, as a legal entity of public law. One of key priorities the Center deals with is employment-related issues of rural women. It is noteworthy that in the Center's staff women occupy several top and senior positions. Currently this Center, in cooperation with organization GTZ (Germany), has been implementing a special project aimed at developing agriculture. Beneficiaries of this project are farmers of two districts of Georgia (Marneuli and Gardabani), out of which at least 25% are women.

Article 15

148. Article 42 of the Georgian Constitution says in part:

> "1. All persons have the right of appeal to the courts to protect their rights and freedoms. [...]
> "9 Any person who suffers damage wrongly caused by the State, self-governing bodies or their officials shall be guaranteed full compensation by the courts from State resources."

This right is set out as a constitutional norm which cannot be restricted or made conditional.

149. Under the Law on Courts of General Jurisdiction, "all persons are entitled to have their rights and freedoms defended through the courts, either privately or by representatives" (Article 3, Paragraph 1). The Law also states that "justice shall be administered on the basis of the equality before the law and the courts of all parties to a case; court proceedings shall be conducted on the basis of equality of rights and the adversarial principle" (Article 6, Paragraphs 1 and 2). The Supreme Court of Georgia, the highest court and court of last instance for the administration of justice throughout the country, exercises its authority on the principle of equality and the adversarial principle (the Law Supreme Court, Article 2).

150. Under the Law on Constitutional Court, both Georgian and non-Georgian individuals may, if they consider that the rights and freedoms recognized in Chapter II of the Georgian

Constitution, have been violated, bring suits before the Constitutional Court concerning the constitutionality of regulatory acts or specific norms relating thereto which run counter to the aforementioned chapter of the Basic Law (Article 39, Paragraph 1).

151. The Civil Procedure Code stipulates, in part, that (a) any person may have (his or her) rights defended in court (Article 2, Paragraph 1) and (b) in civil matters, justice shall be administered exclusively by the courts on the basis of the equality of all persons before the law and the courts (Article 5).

152. Article 9, Paragraph 1, of the Criminal Procedure Code stresses that "all are equal before the law and the courts, regardless of race, nationality, language, sex, social status, wealth, position, place of residence, religion, belief and other such circumstances".

153. Article 22, Paragraph 1, of the Constitution stipulates that every individual lawfully present in the territory of Georgia is free to move within the county and to choose his/her place of residence. Restriction of these rights is permissible only in accordance with the law, in order to guarantee State and public security, which are required for the existence of a democratic society, public health, crime prevention and the execution of justice (Article 22, Paragraph 3). The Constitution specifies that this right may be restricted during a state of emergency or martial law (Article 46, Paragraph 1).

154. Practical aspects of the implementation of rights set out in the Constitution are governed by the Law on Procedures for the Identification and Registration of Georgian Citizens and Resident Aliens. The registration procedure and rules for identity certification stipulated in this Law differ significantly from the previous Soviet passport system, which in fact restricted the right to freely choose one's place of residence. The Law was adopted in June 1996.

155. According to this Law, the goal of registering Georgian citizens and resident aliens (including stateless persons) is to establish data on them and to exercise their rights and duties. Whether or not a person is registered, however, cannot be used as a basis for restricting the constitutional rights and freedoms of Georgian citizens or foreigners or as a condition for excluding them from opportunities provided for by law or from elections (Article 2, Paragraphs 1 and 3).

156. Georgian citizens and resident aliens are required to register themselves in their place of residence, which is considered to be the place chosen by the individual himself/herself. Persons up to the age of 16 years and persons who are wards or under guardianship register together with their parents, guardians, caregivers or other legal representatives. Persons in this category can be registered independently only with the written consent of parents, guardians, etc. (Article 3, Paragraphs. 1-3).

157. Persons changing their place of residence for more than three months are required to report their new place of residence within 10 days to the appropriate State bodies, which shall register them within five days. This does not apply to persons in pre-trial detention, serving sentences or fulfilling military service obligations (Article 4, Paragraphs. 1 and 3).

158. Persons who do not have a place of residence register without indicating their address in the population centre where they are located. In all circumstances registration is carried out on the basis of procedures stipulated in the legislation in force governing personal identity or (for foreigners) type of residence (Article 5, Paragraphs1 and 2).

159. Under the Law on Legal Status of Aliens, aliens have the right to move freely throughout Georgian territory and freely choose their place of residence in accordance with the procedures provided for by law. The movement of aliens and their choice of place of residence may be restricted when this is necessary to ensure national security, maintain social order, safeguard public health and protect the rights and legitimate interests of Georgian citizens and other persons (Article 18).

160. The Georgian Criminal Code provides for sanctions in the form of fines, terms of correctional labour of up to six months and deprivation of liberty for up to one year for preventing persons lawfully present in the country from moving freely throughout its territory, freely choosing their place of residence or freely leaving Georgia and, in the case of Georgian citizens, from freely entering the country. When conducted with the use of force, threat of the use of force or misuse of one's official status, such actions may entail deprivation of liberty for terms of up to two years, fines or terms of correctional labour of up to one year and removal from one's position for up to three years (Article 142, Paragraphs 1 and 2).

Article 16

161. Information on legal framework as provided by Article 16 (elimination of discrimination against women in all matters relating to marriage and family relations), given in the initial report of Georgia remain valid. At the same time, it is considered necessary to emphasize the most important issues.

162. Article 36 of the Constitution states that marriage is a voluntary union based on the equal rights of the spouses and that the State shall promote the welfare of the family.

163. According to the Civil Code, marriage is the voluntary union of a man and a woman for the purposes of starting a family, as legalized by an official civil status registry (art. 1106). The prerequisites for entering into marriage are the attainment of marriageable age and the consent of the spouses (Article 1107). Any person having reached the age of 18 may enter into marriage. In exceptional circumstances, marriage may be permitted from the age of 16, provided that the parents or other legal representatives give their consent in writing. If the parents or legal representatives withhold their consent, marriage may be authorized by a court for valid reasons and on the basis of a declaration by the spouses (Article 1108).

164. Aliens wishing to marry in Georgia require a declaration issued by the competent authorities of their country stating that there are no impediments to their marriage. This procedure does not apply to stateless persons or to nationals of States that do not issue such declarations (Article 1118).

165. Marriage is prohibited:

- Between two persons at least one of whom is already married;
- Between blood relatives in the ascending and descending lines ;
- Between brothers and sisters of the whole and the half blood;
- Between two persons at least one of whom has been declared legally incapable by a court (Article 1120).

166. Grounds for termination of a marriage are: (a) the death of one of the spouses; (b) a legal declaration that one of the spouses is deceased; and (c) divorce. Pursuant to a joint agreement by spouses who have no minor children, or a declaration by one of the spouses that the other spouse is missing, or is legally incapable owing to mental illness, or is serving a prison sentence of at least three years' duration, divorce may be sought through a civil status registry (Articles 1124 and1125). In all other cases a marriage must be terminated in a court of law.

167. According to the Civil Code, during his wife's pregnancy and for one year after the birth of a child, a husband may not file for divorce without the wife's consent (Article 1123).

168. Some statistical data as to provisions of Article 16 is provided in the Tables below.

169. Marriages and Divorces

Table 17

Years	Marriages, thsd.	Divorces, thsd.	Per 1000 population	
			Marriages	Divorces
1996	19,3	2,3	4,0	0,5
1997	17,1	2,3	3,5	0,5
1998	15,3	1,8	3,0	0,3
1999	13,8	1,6	3,0	0,4
2000	12,9	1,9	2,8	0,4
2001	13,3	2,0	2,9	0,4

170. Average Age of Marriage (years)

Table 18

Years	Men	Women
1996	27,9	24,1
1997	28,1	24,4
1998	28,5	24,5
1999	28,8	25,1
2000	28,9	24,9
2001	29,2	25,3

171. Average Age at First Marriage (years) ***Table 19***

Years	Men	Women
1996	27,3	23,8
1997	27,8	24,0
1998	28,0	24,4
1999	28,3	24,6
2000	28,4	24,8
2001	28,9	25,1

172. Average Age at Second and Next Marriages (years) ***Table 20***

Years	Men	Women
1996	44,2	39,4
1997	39,0	37,2
1998	41,8	37,9
1999	43,6	38,2
2000	44,3	39,7
2001	43,5	33,1

173. Average Age of Divorces (years) ***Table 21***

Years	Men	Women
1996	39,1	36,0
1997	38,7	35,4
1998	38,9	36,0
1999	38,3	36,0
2000	39,5	36,3
2001	40,1	36,8

List of Annexes

1. Plan of Action for Improving Women's Conditions in Georgia for 2001-2004 (approved by Decree of the President of Georgia #1406, 29 December 2000)

2. Decree of the President of Georgia "About the Measures on Strengthening the Protection of Human Rights of Women in Georgia"

3. Decree of the President of Georgia "On Approval of the Action Plan on Combating Violence against Women (2000-2005)"

4. Decree of the President of Georgia "On Approval of the Action Plan on Combating Trafficking (2003-2005)"

5. Statistical collection "Woman and Man in Georgia. 2002" (Georgian version)